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## HOME (SPECIAL SECTION) DEPARTMENT

### NOTIFICATION

The 30th April, 2012

**S.R.O. No.221/2012**— Whereas, it has been reported to the State Government that there had been a police firing at Phasipada village of Danapur Gram Panchayat of Khallikote Block under Kodala Police Station in the District of Ganjam on 31st March, 2012 leading to death of two persons and injury of several others;

And, whereas, the State Government are deeply concerned about the incident of firing and are of the opinion that, this being a definite matter of public importance, should be inquired into by a Commission of Inquiry under the Commissions of Inquiry Act, 1952 (Act 60 of 1952);

Now, therefore, in exercise of the powers conferred by Section 3 read with sub-section (1) of Section 5 of the said Act, the State Government do hereby appoint a Commission of Inquiry consisting of the Additional District Judge-*cum*-Special Judge (Vigilance), Berhampur, to inquire into and report in respect of the following matters, within six months from the date of publication of this notification in the *Odisha Gazette*, namely:—

- (i) Analysis of the sequence of events and circumstances leading to police firing at Phasipada village under Kodala Police Station in the District of Ganjam on 31st March, 2012;
- (ii) Whether the measures taken, the quantum of force used in anticipating, preventing and handling situations were adequate, inadequate or in excess of requirement and the responsibility for such acts of commission or omission;

- (iii) The role, conduct and responsibility of the organizations, group of individuals or persons, if any, in influencing, precipitating or escalating the incident; and
- (iv) Any other matter connected with or incidental thereto as the Commission may consider appropriate.

Further, the State Government are of the opinion that having regard to the nature of inquiry to be made and the other circumstances pertaining to the incident, it would be appropriate that the provisions of sub-sections (2),(3),(4) and (5) of Section 5 of the said Act should apply to the conduct of this inquiry by the Commission. Therefore, the State Government direct that the aforesaid provisions shall apply, accordingly.

The Commission of Inquiry may also perform such other functions as are necessary or incidental to the inquiry.

The headquarters of the Commission shall be at Berhampur. However, the Commission may hold the inquiry at Khalikote or any other place as may be considered necessary for the purpose.

[ No. 1283/C.]

By Order of the Governor

U.N. BEHERA

Principal Secretary to Government